

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

League of Women Voters of Minnesota  
Education Fund, Vivian Latimer Tanniehill,

*Plaintiffs,*

v.

Steve Simon, in his official capacity as  
Secretary of State of Minnesota,

*Defendant,*

and Donald J. Trump for President, Inc.,  
Republican National Committee, and  
Republican Party of Minnesota,

*Intervenor-Defendants.*

Civil Action No. 0:20-cv-01205-ECT-TNL

**DECLARATION OF MALEA MARXER**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Malea Marxer. I am 18 years old and competent to make this declaration. The facts in this declaration are based on my personal knowledge. If called upon as a witness, I would testify to these facts.
2. I am a first-year student at Gonzaga University in Spokane, Washington. However, I may transfer to the University of Denver in Denver, Colorado in the upcoming school year.
3. I have resided in Minnesota since 2002. I currently reside in Wayzata, Minnesota. During my first semester in college this Fall, I lived out of state in Spokane, Washington in dorms on Gonzaga University's campus.
4. I am dedicated to advocating for my constitutional rights as well as the constitutional rights of others, including the right to vote. It is important to me to participate in and exercise my voice

in the democratic process.

5. In advance of the November 3, 2020 General Election, I requested and received an absentee ballot. I was not absolutely certain that I was already registered to vote, but assumed that if I was not registered, the State would not mail me an absentee ballot.

6. After I received my ballot, I filled it out and submitted it. I did not have another Minnesota registered voter witness my ballot because I understood that the witness requirement was being waived for the 2020 elections in light of the COVID-19 pandemic.

7. Approximately 2 or 3 days prior to Election Day, I received a notice that my absentee ballot was rejected. I was told that my ballot was rejected because I did not have another registered Minnesota voter witness my voter registration application, which accompanied my absentee ballot. Because I received notice that my ballot was rejected just days before Election Day, I did not have time to request a new ballot, find a registered Minnesota voter to serve as a witness, and mail it back in time for it to be received and counted. As a result, I was not able to cast a vote in the November 3, 2020 General Election.

8. I know that thousands of other Minnesotans like me who are attending college out of state or otherwise temporarily living out of state are likely to face severe or impossible obstacles in their attempt to find another person who also happens to be registered to vote in Minnesota to witness their absentee ballot.

9. If the witness requirement for absentee voting is reinstated after the end of the COVID-19 pandemic, I do not know whether I will be able to find another registered Minnesota voter to witness my absentee ballot so I can vote in the 2021 local elections or the 2022 Gubernatorial and Congressional elections. Under Minnesota law, the only other option would be for me to pay a

public notary to notarize my ballot, which would require me to spend money in order to exercise my constitutional right to vote.

10. Being able to cast an absentee ballot while I am away at college without being forced to track down another registered Minnesota voter to serve as a witness would allow me to exercise my right to vote.

11. I should not be forced to meet the undue burden of finding another registered Minnesota voter – or otherwise paying a public notary – in order to complete my absentee ballot. I consider requiring absentee voters to have another Minnesota registered voter witness their ballot, when absentee voting is supposed to be a reasonable means for people temporarily out of state or out of the country to vote, to be a form of voter suppression.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on December 19, 2020 at Wayzata, Minnesota.

A handwritten signature in cursive script, reading "Malea Marxer", is written over a horizontal line.

Malea Marxer